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PATRICIA SHACKELFORD, SBN 218647  
 9930 Mesa Rim Road, Suite 450  
 San Diego, California 92121  
 Telephone (858) 362-3152

Attorneys for Plaintiff JENS ERIK SORENSEN,  
 as Trustee of SORENSEN RESEARCH AND  
 DEVELOPMENT TRUST

**UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

JENS ERIK SORENSEN, as Trustee of  
 SORENSEN RESEARCH AND  
 DEVELOPMENT TRUST,

Plaintiff

v.

THE BLACK & DECKER CORPORATION;  
 BLACK & DECKER, INC.; BLACK &  
 DECKER (US), INC.; PORTER-CABLE  
 CORPORATION; VECTOR PRODUCTS,  
 INC.; PHILLIPS PLASTICS CORPORATION;  
 HI-TECH PLASTICS INC.; B&D HOLDINGS,  
 LLC; AND DOES 1 THROUGH 1000,

Defendants.

JENS ERIK SORENSEN, as Trustee of  
 SORENSEN RESEARCH AND  
 DEVELOPMENT TRUST,

Plaintiff,

v.

) Case No. 06-cv-1572 BTM (CAB)

) **NOTICE OF MOTION AND PLAINTIFF'S  
 MOTION TO CONSOLIDATE CASES**

) Date: May 30, 2008

) Time: 11:00 a.m.

) Courtroom: 15, Fifth Floor

) Hon. Barry Ted Moskowitz

) *NO ORAL ARGUMENTS UNLESS  
 REQUESTED BY COURT*

) Case No. 07-CV-2121

GIANT INTERNATIONAL (USA) LTD., a  
Delaware corporation, and DOES 1-10,  
Defendants.

and related counterclaims.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

Plaintiff,

v.

ESSEPLAST (USA) NC, INC., a Delaware  
corporation, and DOES 1-100,

Defendants.

and related counterclaims

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

Plaintiff,

v.

HELEN OF TROY TEXAS CORPORATION;  
OXO INTERNATIONAL LTD.;  
and DOES 1 – 100,

Defendants.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

Plaintiff,

v.

ENERGIZER HOLDINGS INC, a Missouri  
corporation; EVEREADY BATTERY  
COMPANY, INC.; and DOES 1 – 100,

Defendants.

and related counterclaims.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

Case No. 07cv2277

Case No. 07cv2278

Case No. 07cv2321

Case No. 08cv0025

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Plaintiff

v.

EMERSON ELECTRIC CO., a Missouri  
 corporation; ONE WORLD TECHNOLOGIES,  
 INC., a Delaware corporation; RIDGE TOOL  
 COMPANY, an Ohio corporation; RIDGID,  
 INC., a Delaware corporation; and  
 DOES 1 – 100

Defendants.

and related counterclaims

JENS ERIK SORENSEN, as Trustee of  
 SORENSEN RESEARCH AND  
 DEVELOPMENT TRUST,

Case No. 08cv0060

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Plaintiff

v.

RYOBI TECHNOLOGIES, INC., a Delaware  
 corporation; TECHTRONIC INDUSTRIES  
 NORTH AMERICA, INC., a Delaware  
 corporation; and DOES 1 – 100,

Defendants.

JENS ERIK SORENSEN, as Trustee of  
 SORENSEN RESEARCH AND  
 DEVELOPMENT TRUST,

Case No. 08cv0070

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Plaintiff

v.

SENCO PRODUCTS, INC., an Ohio  
 corporation; and DOES 1 – 100,

Defendants.

JENS ERIK SORENSEN, as Trustee of  
 SORENSEN RESEARCH AND  
 DEVELOPMENT TRUST,

Case No. 08cv0134

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Plaintiff

v.

INFORMATICS, INC., a Texas Corporation;  
 INFORMATICS HOLDINGS, INC., a Delaware  
 Corporation; DATA LOGIC SCANNING, INC.

Corporation; DATALOGIC SCANNING, INC.,  
a Delaware Corporation; DATALOGIC  
SCANNING HOLDINGS, INC., a New York  
Corporation.

Defendants.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

Plaintiff

v.

SANYO NORTH AMERICA CORPORATION,  
a Delaware Corporation; and DOES 1 – 100,

Defendants.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

Plaintiff

v.

MOTOROLA, INC., a Delaware Corporation;  
and DOES 1 – 100,

Defendants.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

Plaintiff

v.

CTT TOOLS, INC., a California Corporation;  
and DOES 1 – 100,

Defendants.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

Plaintiff

v.

ALLTRADE TOOLS, LLC., a California

Case No. 08cv0135

Case No. 08cv0136

Case No. 08cv0231

Case No. 08cv0232

1 Corporation; and DOES 1 – 100,

2 Defendants.

3 JENS ERIK SORENSEN, as Trustee of  
4 SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

5 Plaintiff

6 v.

7 GLOBAL MACHINERY COMPANY, an  
8 Australian company; GMCA PTY. LTD., an  
9 Australian company; TRAPONE  
CORPORATION PTY. LTD., an Australian  
company; and DOES 1 – 100,

10 JENS ERIK SORENSEN, as Trustee of  
11 SORENSEN RESEARCH AND  
12 DEVELOPMENT TRUST,

13 Plaintiff

14 v.

15 EMISSIVE ENERGY CORP., a Delaware  
Corporation; and DOES 1 – 100,

16 Defendants.

17 JENS ERIK SORENSEN, as Trustee of  
18 SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

19 Plaintiff

20 v.

21 METABO CORPORATION, a Delaware  
22 Corporation; METABOWERKE GMBH, a  
German Corporation; and DOES 1 – 100,

23 Defendants.

24 JENS ERIK SORENSEN, as Trustee of  
25 SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,

26 Plaintiff

27 v.

28 RALLY MANUFACTURING, INC., a Florida

Case No. 08cv0233

Case No. 08cv0234

Case No. 08cv0304

Case No. 08cv0305

Corporation; and DOES 1 – 100,  
Defendants.

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,  
Plaintiff

v.

SUNBEAM PRODUCTS, INC., a Delaware  
Corporation; and DOES 1 – 100,  
Defendants.

Case No. 08cv0306

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,  
Plaintiff

v.

STAR ASIA, U.S.A., LLC, a Washington  
Corporation; and DOES 1 – 100,  
Defendants.

Case No. 08cv0307

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,  
Plaintiff

v.

LOGITECH INC., a California Corporation; and  
DOES 1 – 100,  
Defendants.

Case No. 08cv0308

JENS ERIK SORENSEN, as Trustee of  
SORENSEN RESEARCH AND  
DEVELOPMENT TRUST,  
Plaintiff

v.

CENTRAL PURCHASING, LLC, a California  
Corporation; and DOES 1 – 100,

Case No. 08cv0309

1	Defendants.	)	
2		)	
3	JENS ERIK SORENSEN, as Trustee of	)	Case No. 08cv0411
4	SORENSEN RESEARCH AND	)	
5	DEVELOPMENT TRUST,	)	
6		)	
7	Plaintiff	)	
8	v.	)	
9		)	
10	KYOCERA INTERNATIONAL, INC., a	)	
11	California Corporation; KYOCERA WIRELESS	)	
12	CORP., a California Corporation; and DOES 1 –	)	
13	100,	)	
14		)	
15	Defendants.	)	
16		)	
17	JENS ERIK SORENSEN, as Trustee of	)	Case No. 08cv0559
18	SORENSEN RESEARCH AND	)	
19	DEVELOPMENT TRUST,	)	
20		)	
21	Plaintiff	)	
22	v.	)	
23		)	
24	DMS HOLDINGS, INC. d.b.a. MABIS	)	
25	HEALTHCARE and DURO-MED	)	
26	INDUSTRIES, a a Delaware Corporation; and	)	
27	DOES 1 – 100,	)	
28		)	
	Defendants.	)	
		)	
		)	

TO ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that on May 30, 2008 at 11:00 a.m. or as soon thereafter as this matter may be heard before the Honorable Barry Ted Moskowitz, Plaintiff Jens Erik Sorensen, as trustee of Sorensen Research & Development Trust, will and do, moves this Court for an order consolidating the above-captioned cases for all purposes pursuant to Rule 42 of the Federal Rules of Civil Procedure.

This motion is made on the grounds that these actions involve overlapping

issues of law and fact and consolidation of these cases will promote efficiency.

A list of all named defendants in each case<sup>1</sup>, including identification of those who have appeared, and the names of their respective attorneys of record, are as follows:

<i>Defendants</i>	<i>Appeared?</i>	<i>Attorney(s) of Record</i>
The Black & Decker Corporation Black & Decker Inc. Black & Decker (U.S.) Inc. Porter-Cable Corporation Vector Products, Inc. B&D Holdings LLC	Yes	Raymond P. Niro, Jr. Dina Hayes Gregory P. Casimer Robert A. Conley Niro, Scavone, Haller & Niro 181 W. Madison St., Ste. 4600 Chicago, IL 60602  Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121
Phillips Plastics Corporation Hi-Tech Plastics Inc.	Yes	Kenneth S. Klein Foley & Lardner LLP 402 W. Broadway, Suite 2100 San Diego, CA 92101-3542  Robert L. Binder Foley & Lardner LLP 777 East Wisconsin Avenue Milwaukee, WI 53202  Richard L. Schwaab Pavan K. Agarwal C. Edward Polk, Jr. Foley & Lardner LLP

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<sup>1</sup> Plaintiff Jens Erik Sorensen as Trustee of Sorensen Research and Development Trust is represented by attorneys J. Michael Kaler and Melody A. Kramer in every case, and also by Patricia A. Shackelford in the Black & Decker case.



1			3000 K Street, N.W. Suite 500
2			Washington, DC 20007
3	Giant International (USA) Ltd.	Yes	Allison Goddard
4			J. Christopher Jaczko
5			Jaczko Goddard LLP
6			4401 Eastgate Mall
7			San Diego, CA 92121
8			Dale Lischer
9			Elizabeth G. Borland
10			Kerri A. Hochgesang
11			Smith, Gambrell & Russell, LLP
12			Promenade II, Suite 3100
13			1230 Peachtree St., N.E.
14			Atlanta, GA 30309
15	Esseplast USA (NC) Inc.	Yes	Alan A. Limbach
16			Gregory J. Lundell
17			Elizabeth Day
18			Vincent S Lam
19			Erik R. Fuehrer
20			DLA Piper USA LLC
21			2000 University Avenue
22			East Palo Alto, CA 94303
23	Helen of Troy Texas Corporation	Yes	Erik B. Von Ziepel
24			Seyfarth Shaw LLP
25	OXO International LTD		2029 Century Park East, Suite 3300
26			Los Angeles, CA 90067
27	Energizer Holdings Inc.	Yes	Jill Zimmerman
28			Anthony I. Fenwick
	Eveready Battery Company, Inc.		David Lisson
			Veronica C. Abreu
			Davis Polk & Wardwell
			1600 El Camino Real
			Menlo Park, CA 94025
	Emerson Electric Co.	Yes	Roger G. Perkins, Esq
			Angela Kim, Esq.
	Ridge Tool Company		MORRIS POLICH & PURDY LLP

1 2 3 4 5 6 7 8 9 10	Ridgid, Inc.		501 West Broadway, Suite 500 San Diego, California 92101  Orlando F. Cabanday HENNELLY & GROSSFELD LLP 4640 Admiralty Way, Suite 850 Marina del Rey, CA 90292  Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611
11 12 13 14 15 16 17 18 19	One World Technologies, Inc.	Yes	Roger G. Perkins, Esq Angela Kim, Esq. MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101  Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611
20 21 22 23 24 25 26 27	Ryobi Technologies, Inc.  Techtronic Industries North America, Inc.	Yes	Roger G. Perkins, Esq MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101  Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611
28	Senco Products, Inc.	Yes	Roger G. Perkins, Esq

1			MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101
2			Angela Kim MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101
3			Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611
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11	Informatics, Inc.	Yes	James H. Shalek Proskauer Rose LLP 1585 Broadway, New York, NY 10036
12	Informatics Holdings, Inc.		
13	Datalogic Scanning, Inc.		Jonathan E. Rich Proskauer Rose LLP 2049 Century Park East, 32 <sup>nd</sup> Floor Los Angeles, CA 90067
14	Datalogic Scanning Holdings, Inc.		
15			
16			
17	Sanyo North America Corporation	Yes	Douglas Carsten Debra D. Nye Foley & Lardner LLP 11250 El Camino Real, Suit 200 San Diego, California 92130 Telephone: (858) 847-6700
18			
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21	Motorola, Inc.	Yes	Rachel M. Capoccia Hogan & Hartson L.L.P. 1999 Avenue of the Stars, Suite 1400 Los Angeles, California 90067
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25			Erik J. Lobenfeld Hogan & Hartson LLP 875 Third Avenue New York, NY 10022
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28	CTT Tools, Inc.	Yes	Eliot Teitelbaum

1			Koorennny & Teitelbaum, LLP 11911 San Vicente Blvd. Suite 265 Los Angeles, CA 90049
2			
3			
4	Alltrade Tools, LLC.	No	
5	Global Machinery Company	Yes	Thomas W. Ferrel HIGGS, FLETCHER & MACK LLP 401 West "A" Street, Suite 2600 San Diego, CA 92101-7913
6	GMCA Pty.		
7	Trapone Corporation Pty. Ltd.		Mark G. Kachigian Cassandra L. Wilkinson HEAD, JOHNSON & KACHIGIAN, P.C. 228 West 17th Place Tulsa, Oklahoma 74119
8			
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12	Emissive Energy Corp.	Yes	Jeff E. Scott GREENBERG TRAUIG, LLP 2450 Colorado Avenue, Suite 400E Santa Monica, California 90404
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15	Metabo Corporation	Yes	Jeffrey D. Lewin Sullivan, Hill, Lewin, Rez & Engel 550 West "C" Street, Suite 1500 San Diego, CA 92101
16	Metabowerke GMBH		
17			
18			Daniel J. Bourque Bourque & Associates Intellectual Property Attorneys 835 Hanover Street Suite 301 Manchester, NH 03104
19			
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21			
22			
23			Arnold Rosenblatt Cook Little Rosenblatt & Manson PLLC 650 Elm Street Manchester, NH 03101
24			
25			
26	Rally Manufacturing, Inc.	Yes	Gary M. Anderson FULWIDER PATTON LLP Howard Hughes Center 6060 Center Drive, Tenth Floor
27			
28			

1			Los Angeles, CA 90045
2	Sunbeam Products, Inc.	Yes	Sang N. Dang ORION LAW GROUP 3 Hutton Centre Drive, Suite 850 Santa Ana, CA 92707
3			George L. Fountain ORION LAW GROUP 3 Hutton Centre Drive, Suite 850 Santa Ana, CA 92707
4			Kening Li, PH.D. PINSENT MASONS C/o BAKER DONELSON BEARMAN CALDWELL AND BERKOWITZ 555 11 <sup>th</sup> St., NW, Washington, DC 20004
5			Vy H. Vu ORION LAW GROUP 3 Hutton Centre Drive, Suite 850 Santa Ana, CA 92707
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16	Star Asia, U.S.A., LLC.	Yes	Richard A. Clegg Seltzer Caplan McMahon Vitek 750 B St., Suite 2100 San Diego, CA 92101
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19	Logitech, Inc.	Yes	Richard S. Swope ORRICK, HERRINGTON & SUTCLIFFE LLP 1000 Marsh Road Menlo Park, CA 94025
20			
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23	Central Purchasing, LLC	Yes	Mark J. Rosenberg Sills Cummis & Gross P.C. One Rockefeller Plaza New York, New York 10020
24			Susan E. Basinger Higgs Fletcher & Mack LLP 401 West "A" Street, Suite 2600
25			
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1		San Diego, California 92101
2	Kyocera International, Inc.	Yes
3	Kyocera Wireless Corp.	Anthony J. Dain Victor M. Felix PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 530 B Street, Suite 2100 San Diego, California 92101
4		
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6	DMS Holdings, Inc. dba Mabis Healthcare and Duro-Med Industries	No
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10 Dated this Wednesday, April 09, 2008.

11  
12 Respectfully submitted,

13  
14 JENS ERIK SORENSEN, as Trustee of SORENSEN  
15 RESEARCH AND DEVELOPMENT TRUST, Plaintiff

16 /s/ Melody A. Kramer

17 J. Michael Kaler

18 Melody A. Kramer

19 Patricia A. Shackelford

20 Attorneys for Plaintiff

**PROOF OF SERVICE**

I, Melody A. Kramer declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121. I am a member of the State Bar of California and the Bar of this Court.

On April 9, 2008, I served on the parties to this action the following documents:

**NOTICE OF MOTION AND PLAINTIFF'S MOTION TO CONSOLIDATE CASES**

<b>PERSON(S) SERVED</b>	<b>PARTY(IES) SERVED</b>	<b>METHOD OF SERVICE</b>
Raymond P. Niro, Jr. Dina Hayes Gregory P. Casimer Robert A. Conley Niro, Scavone, Haller & Niro 181 W. Madison St., Ste. 4600 Chicago, IL 60602 312/236-3137 FAX rmirojr@nshn.com hayes@nshn.com casimer@nshn.com rconley@nshn.com	Defendants Black & Decker Corp.; Black & Decker, Inc.; Black & Decker (U.S.), Inc.; Vector Products, Inc.; and B&D Holdings, LLC ("B&D Defendants")	Email--Pleadings Filed with the Court
Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121 agoddard@jaczkogoddard.com cjaczko@jaczkogoddard.com	Defendant Hi-Tech Plastics, Inc. and Phillips Plastics	Email--Pleadings Filed with the Court
Kenneth S. Klein Foley & Lardner LLP 402 W. Broadway, Suite 2100 San Diego, CA 92101-3542 619/234-3510 FAX kklein@foley.com	Defendants Hi-Tech & Phillips	Email--Pleadings Filed with the Court
Robert L. Binder Foley & Lardner LLP	Defendants Hi-Tech & Phillips	Email--Pleadings Filed with the Court

1 2 3 4 5 6 7 8 9 10	777 East Wisconsin Avenue Milwaukee, WI 53202 414/297-4900 FAX rbinder@foley.com  Richard L. Schwaab Pavan K. Agarwal C. Edward Polk, Jr. Foley & Lardner LLP 3000 K Street, N.W. Suite 500 Washington, DC 20007 202/672-5399 FAX rschwaab@foley.com pagarwal@foley.com epolk@foley.com	Defendants Hi-Tech & Phillips	Email--Pleadings Filed with the Court
11 12 13 14 15 16 17 18 19 20 21 22 23	Allison Goddard J. Christopher Jaczko Jaczko Goddard LLP 4401 Eastgate Mall San Diego, CA 92121 agoddard@jaczkogoddard.com cjaczko@jaczkogoddard.com 858-225-3500 FAX  Dale Lischer dlischer@sglaw.com Elizabeth G. Borland egborland@sglaw.com Kerri A. Hochgesang khochgesang@sglaw.com Smith, Gambrell & Russell, LLP Promenade II, Suite 3100 1230 Peachtree St., N.E. Atlanta, GA 30309 404-685-6945 FAX	Defendant Giant International (USA) Ltd.     Defendant Giant International (USA) Ltd.	Email – Pleadings Filed with the Court     Email – Pleadings Filed with the Court
24 25 26 27 28	Alan A. Limbach DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303-2214 alan.limbach@dlapiper.com  Gregory J. Lundell DLA Piper USA LLC	Esseplast (USA) NC, Inc.     Esseplast (USA) NC, Inc	Email--Pleadings Filed with the Court via CM/ECF   Email--Pleadings Filed with the Court via



1 2 3 4 5 6 7 8 9 10 11 12	2000 University Avenue East Palo Alto, CA 94303-2214 <a href="mailto:greg.lundell@dlapiper.com">greg.lundell@dlapiper.com</a>  Elizabeth Day DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303-2214 <a href="mailto:elizabeth.day@dlapiper.com">elizabeth.day@dlapiper.com</a>  Vincent S Lam DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303-2214 <a href="mailto:vincent.lam@dlapiper.com">vincent.lam@dlapiper.com</a>  Erik R. Fuehrer DLA Piper USA LLC 2000 University Avenue East Palo Alto, CA 94303-2214 <a href="mailto:erik.fuehrer@dlapiper.com">erik.fuehrer@dlapiper.com</a>	Esseplast (USA) NC, Inc  Esseplast (USA) NC, Inc  Esseplast (USA) NC, Inc	CM/ECF  Email--Pleadings Filed with the Court via CM/ECF  Email--Pleadings Filed with the Court via CM/ECF  Email--Pleadings Filed with the Court via CM/ECF
13 14 15 16	Erik B. Von Ziepel Seyfarth Shaw LLP 2029 Century Park East, Suite 3300 Los Angeles, CA 90067 <a href="mailto:evonzeipel@seyfarth.com">evonzeipel@seyfarth.com</a>	Helen of Troy Texas Corporation; Oxo International Ltd.	Email--Pleadings Filed with the Court via CM/ECF
17 18 19 20 21 22 23 24 25 26 27 28	Jill Zimmerman Davis Polk & Wardwell 1600 El Camino Real Menlo Park, CA 94025 <a href="mailto:jill.zimmerman@dpw.com">jill.zimmerman@dpw.com</a>  Anthony I. Fenwick Davis Polk & Wardwell 1600 El Camino Real Menlo Park, CA 94025 <a href="mailto:anthony.fenwick@dpw.com">anthony.fenwick@dpw.com</a>  David Lisson Davis Polk & Wardwell 1600 El Camino Real Menlo Park, CA 94025 <a href="mailto:david.lisson@dpw.com">david.lisson@dpw.com</a>  Veronica C. Abreu Davis Polk & Wardwell 1600 El Camino Real	Energizer Holdings Inc. Eveready Battery Company, Inc.  Energizer Holdings Inc. Eveready Battery Company, Inc.  Energizer Holdings Inc. Eveready Battery Company, Inc.  Energizer Holdings Inc. Eveready Battery Company, Inc.	Email--Pleadings Filed with the Court via CM/ECF  Email--Pleadings Filed with the Court via CM/ECF  Email--Pleadings Filed with the Court via CM/ECF  Email--Pleadings Filed with the Court via CM/ECF

1	Menlo Park, CA 94025 <a href="mailto:veronica.abreu@dpw.com">veronica.abreu@dpw.com</a>		
2			
3	Roger G. Perkins, Esq Angela Kim, Esq. MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101 <a href="mailto:rperkins@mpplaw.com">rperkins@mpplaw.com</a> <a href="mailto:akim@mpplaw.com">akim@mpplaw.com</a>	Emerson Electric Co., Ridge Tool Co., and Ridgid, Inc., One World Technologies, Inc.	Email - Pleadings Filed with the Court via ECF
4			
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8	Orlando F. Cabanday HENNELLY & GROSSFELD LLP 4640 Admiralty Way, Suite 850 Marina del Rey, CA 90292 Telephone: (310) 305-2100 Facsimile: (310) 305-2116 <a href="mailto:ocabanday@hgla.com">ocabanday@hgla.com</a>	Emerson Electric Co., Ridge Tool Co., and Ridgid, Inc.	Email - Pleadings Filed with the Court via ECF
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13	Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611 <a href="mailto:rmallin@brinkshofer.com">rmallin@brinkshofer.com</a>	Emerson Electric Co., Ridge Tool Co., and Ridgid, Inc., One World Technologies, Inc.	Email - Pleadings Filed with the Court via ECF
14			
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17	Roger G. Perkins, Esq <a href="mailto:rperkins@mpplaw.com">rperkins@mpplaw.com</a> MORRIS POLICH & PURDY LLP 501 West Broadway, Suite 500 San Diego, California 92101	Ryobi Technologies, Inc. Techtronic Industries North America, Inc.	Email - Pleadings Filed with the Court via ECF
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21	Robert S. Mallin Brinks Hofer Gilson & Lione NBC Tower 455 N City Front Plaza Drive Suite 3600 Chicago, IL 60611 <a href="mailto:rmallin@brinkshofer.com">rmallin@brinkshofer.com</a>	Ryobi Technologies, Inc. Techtronic Industries North America, Inc.	Email - Pleadings Filed with the Court via ECF
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C/o Agent for Process of Service DMS Holdings, Inc. The Corporation Trust Company Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801	DMS Holdings	Federal Express

- ☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.
- ☒ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.
- ☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error.
- ☐ (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.
- ☒ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed this document via the CM/ECF system for the United States District Court for the Southern District of California.

I declare that the foregoing is true and correct, and that this declaration was executed on Wednesday, April 09, 2008, in San Diego, California.

/s/ Melody A. Kramer

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Melody A. Kramer